

To: Michael B. Gillett[mgillett@gillettlawfirm.com]
From: Vergeront, Julie
Sent: Mon 4/4/2016 8:28:56 PM
Subject: RE: Multistar Industries
Multistar Program 2 Compliance Order 4-4-16.docx

....
>>>
Mike,

Here is a revised compliance order, requiring compliance with the Program 2 requirements of Part 68 with which we believe Multistar remains out of compliance.

Given Mr. Vanourek's vacation schedule, it is our expectation that he will sign this upon his return from vacation next Monday, March 11th.

Please give me a call if you have any questions.

Regards,

Julie A. Vergeront

Assistant Regional Counsel

EPA Region 10

1200 Sixth Avenue, Suite 900

Seattle, WA 98101

206-553-1497

vergeront.julie@epa.gov

From: Michael B. Gillett [mailto:mgillett@gillettlawfirm.com]
Sent: Friday, April 01, 2016 11:22 AM
To: Vergeront, Julie
Subject: RE: Multistar Industries

Julie,

Thank you for letting me know. I look forward to reviewing the draft compliance order under Program 2. My clients are on vacation today through the end of next week. They are back in their office on April 11. Hopefully, we will have a draft order ready then that I can recommend they sign.

Have a good weekend.

Michael B. Gillett

The Gillett Law Firm

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From: Vergeront, Julie [<mailto:Vergeront.Julie@epa.gov>]

Sent: Thursday, March 31, 2016 10:01 AM

To: Michael B. Gillett <mgillett@gillettlawfirm.com>

Subject: RE: Multistar Industries

Mike,

EPA is prepared to consider Multistar a Program 2 facility based on its certified representations of its sales over the past several years.

As I mentioned previously, as a Program 2 facility, Multistar's violations of the part 68 requirements remain largely the same as EPA has previously alleged and many of the same actions are required for Multistar to return to compliance.

I am proceeding to draft a compliance order on consent alleging violations of the Program 2 requirements of Part 68 and ordering Multistar to comply with such requirements, very similar to the compliance order on consent I previously provided and that you indicated Multistar was prepared to sign. I expect to provide the document on Monday and we will expect Multistar to have signed the document by Friday, April 8th.

We will also expect that by the same date (April 8) Multistar will have provided EPA the additional financial information we previously requested, certified as true, accurate, and complete by Mr. Vanourek, so that we can complete our analysis of Multistar's ability to pay a penalty. The penalty will be reduced slightly based on Multistar now being considered a Program 2 facility but, given the longstanding and widespread nature of the violations, will still be several

hundred thousand dollars. I therefore assume that Multistar would like EPA to consider its financial information in determining an appropriate penalty under EPA's penalty policies. In order to do that, we need the additional financial information I previously requested.

If we do not have these items by April 8th, we intend to proceed unilaterally.

Please give me a call if you have any questions.

Regards,

Julie A. Vergeront

Assistant Regional Counsel

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206-553-1497

vergeront.julie@epa.gov

From: Michael B. Gillett [<mailto:mgillett@gillettlawfirm.com>]

Sent: Wednesday, March 30, 2016 3:46 PM

To: Vergeront, Julie <Vergeront.Julie@epa.gov>

Subject: Multistar Industries

Julie,

Attached are the three years of tank rentals. The highlighted figures are tanks that were rented with vapor and ammonia residue in them. I am also resending the cover copy with the those tanks removed from the total.

Finally, a copy of the certification signed by Pete Vanourek is attached; I will forward the original certification when I receive it from Multistar.

Michael B. Gillett

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